

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 05043

1 WHEREAS, Shady Creek, LLC, has submitted an application designated as
2 Special Permit No. 05043 for authority to operate an early childhood care facility for up to
3 120 children, together with a requested waiver of the requirement to submit building plans
4 and elevations and that the early childhood care facility be located on an arterial street, on
5 property located at 5521 Shady Creek Court, and legally described to wit:

6 Lot 1, Quail Valley 2nd Addition, Lincoln, Lancaster
7 County, Nebraska;

8 WHEREAS, the community as a whole, the surrounding neighborhood, and the
9 real property adjacent to the area included within the site plan for this early childhood care
10 facility will not be adversely affected by granting such a permit; and

11 WHEREAS, said site plan together with the terms and conditions hereinafter set
12 forth are consistent with the comprehensive plan of the City of Lincoln and with the intent
13 and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety,
14 and general welfare.

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
16 Lincoln, Nebraska:

17 That the application of Shady Creek, LLC, hereinafter referred to as "Permittee",
18 to operate an early childhood care facility for 120 children be and the same is hereby
19 granted under the provisions of Section 27.63.070 of the Lincoln Municipal Code upon
20 condition that construction of said early childhood care facility be in strict compliance with

1 said application, the site plan, and the following additional express terms, conditions, and
2 requirements:

3 1. This approval permits an early childhood care facility for up to 120 children
4 and 19 staff members on the largest shift, along with waivers of the requirements that
5 building plans and elevations be provided, and that access be taken from a local street.

6 2. Before receiving building permits:

7 a. The Permittee shall submit 5 copies of the approved plans to the
8 Planning Department.

9 b. The construction plans shall comply with the approved plans.

10 c. The operation and the premises are to meet appropriate local and
11 state licensing requirements, including compliance with health codes.

12 3. Before occupying this early childhood care facility, all development and
13 construction is to comply with the approved plans.

14 4. The site plan approved by this permit shall be the basis for all
15 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
16 elements, and similar matters.

17 5. This resolution's terms, conditions, and requirements bind and obligate the
18 Permittee, its successors and assigns.

19 6. The Permittee shall sign and return the letter of acceptance to the City
20 Clerk within 30 days following the approval of the special permit, provided, however, said
21 30-day period may be extended up to six months by administrative amendment. The clerk
22 shall file a copy of the resolution approving the special permit and the letter of acceptance
23 with the Register of Deeds, filling fees therefor to be paid in advance by the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2005:

Mayor